

# Pre-Opening Resource

*Staff recruitment*

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**New  
Schools  
Network**

## Introduction

As with other types of school, the quality of teachers you recruit for your free school will play a large role in determining how successful it is. This is especially true in your first year when you are building to capacity and dependent on a small number of staff. It is therefore vital that you spend time getting the right people in place to deliver your school's vision.

This guidance is designed to help you think about how you can meet your staffing needs and design a robust recruitment policy that allows you to recruit the best teachers available. It aims to help you consider who you need to recruit and how you can go about doing this effectively, bearing in mind the specific challenges which new schools often face when doing this. It also outlines your legal responsibilities when conducting recruitment. However, you should be aware that, as with all NSN guidance, this document does not constitute legal advice.

Please note that this guidance is designed to help you recruit school staff generally. NSN has produced specific guidance on recruiting your principal, which looks at this challenge in more detail.

If you need more assistance with carrying out your staff recruitment, you may consider [NSN's Essentials Advisory Service](#) through which you will benefit from bespoke advice from NSN Project Managers and expert Associates. For more information, please contact the NSN Delivery team at [open@newschoolsnetwork.org](mailto:open@newschoolsnetwork.org).

When using this guidance, please be aware that it is issued on a general basis for information only and does not constitute legal advice. If your group has specific issues relating to your consultation, you should seek legal advice.

### NSN Spotlight visits

When you are recruiting your teaching staff, it can be very useful to visit schools who have already experienced the process of recruitment during pre-opening.

[NSN Spotlight visits](#) allow you to visit open free schools and observe lessons, meet key leadership staff and ask questions about their experiences.

We've worked with over three quarters of all open and approved-to-open free schools, and have run spotlight visits to a diverse and fascinating range of schools, such as Reach Academy Feltham, the West Newcastle Academy, Marine Academy Primary, The Lighthouse School, School 21, Canary Wharf College, Batley Grammar School, Harris Westminster School, the West London Free School,

Kings College London Maths School, Harmonize AP, Marchbank Free School and Dixons Trinity Academy.

## How to recruit effectively

### Before you start

Before you begin the recruitment process you need to make sure that:

- Your school has a clear staff appointments policy, staffing structure and approach to recruitment which have been commented on by your DfE lead contact
- At least one member of your appointment panel has received safer recruitment training. This is provided by a range of organisations which, from September 2014 do not need to be approved by the Secretary of State. You can find more information from the DfE [here](#).
- Your trust understands its legal responsibilities in terms of discrimination, equal opportunities and data protection

### Recruitment policy

Before you begin the recruitment process, you will need to create a recruitment policy that clearly sets out the recruitment processes you will adopt over the coming months. This explains your school's approach to the recruitment process and how you will introduce a transparent and non-discriminatory approach to hiring staff. You will need to have explained your staffing structure and a little of how you intend to recruit staff in your application to start a free school. The DfE's pre-opening guidance indicates that you should be able to give them a more developed idea of your plans by the end of phase 1 of pre-opening, that you should begin drafting staffing policies during phase 2, and that these should be completed by the end of phase 3. You can find an overview of the different phases of pre-opening in [NSN's approval to handover resource](#).

Please see Appendix 1 for areas you should consider including in your policy and examples of how other schools have approached this.

### Who is responsible for hiring?

Who is responsible for hiring your school's staff depends on when you are making an appointment.

The directors of your trust are responsible for recruiting and appointing the principal designate, which should be your first appointment. After this, your principal should take the lead in hiring staff, as they will oversee their work. However, it is likely that governors will be interested in the school's initial appointments, so you will need to agree in advance how you will work together on this.

Remember that it is ultimately the responsibility of the trust and its directors to get recruitment right – including meeting all legal obligations.

## The recruitment options

For every staff appointment there are two options:

### Direct appointment

Direct appointments are made when you already have a specific individual in mind to serve in a particular position.

Free school proposer groups often include individuals who have an interest in working in the school once it is open and it is possible for them to be appointed directly. However, your trust must assure itself that the individual you have in mind is the right person for the job. If there is any reasonable prospect that you could find a stronger candidate through open competition, then you should normally ask people to apply for the role.

If you do want to appoint directly – regardless of the position – we would recommend that you ask someone who is independent and has a strong reputation in the field to assess the candidate. That will not only help you ensure the person is right for the position, but will also be helpful in explaining your actions to the outside world. A number of free schools have reported that transparency in recruitment is an area that their critics have focused on. Therefore, it is important that you are able to defend your position – demonstrating that the appointment was fair and equitable.

### Open competition

This is likely to be the route for the majority, if not all of your staff. Your trust will need to write a person specification and job description, and then advertise in a national publication such as the [Times Educational Supplement \(TES\)](#) (for teaching appointments) or local publications (other non-teaching staff appointments) for at least 10 days.

The rest of this section is only relevant for **open competition**.

## The stages of recruitment

### Assess the job vacancy and create a job description

Before you advertise for a role, it is very important that you understand what kind of candidate you are looking for, and what their job will involve. With a free school, you will need to employ people with a broader set of skills and more flexibility than in traditional schools.

When assessing the job, you should consider the following:

- What does a 'good job' look like? How will you ensure that the vision for your school is realised, what objectives do you need to meet to ensure this and how will you know the candidates have met them?
- What kind of skills, experience and characteristics would someone need to do this job well? What is non-negotiable and what do you think could be developed over time?

You should then consider how to translate your criteria into clear statements of the key tasks and activities required to do the job well, as well as thinking about how you can assess applicants' abilities to carry these out. It's important that you are clear about lines of accountability – which should have been set out in the original staffing structure in your free school application.

Having established this, you will need to create a job description which communicates these points clearly and which allows you to evaluate the qualities of each applicant against your desired criteria. Given the demands of working in a free school, particularly for its principal, it is especially important that you give a sense of the particular challenges and opportunities facing the school. Without a track record it is also crucial that you give a clear sense of what the school will try to achieve and what makes it distinctive.

Appendix 1 contains further guidance on creating application packs and job descriptions.

### Advertise

When you advertise a job vacancy you need to produce:

- An advert or series of adverts
- An application pack

## Advert

Most groups advertise for teachers on the [TES website](#). Some also use [The Guardian](#) or [eteach.com](#), an often cheaper option, but one that may not reach as wide an audience as the TES. For other appointments, such as school administrators, there are a wider variety of channels – some examples are in our links section below.

Advertising is expensive – and many open free schools have had to re-advertise because they didn't find the right candidate initially. While it's much better not to appoint than to appoint the wrong person (and your group should be fully prepared not to appoint if need be), it is worth trying to ensure that your adverts attract the right candidates from the start.

TES research has found that candidates look for adverts which:

- Differentiate your offer;
- Highlight key benefits – including development;
- Are direct and concise; and
- Are clear about how to apply for the role. This may seem obvious but a high proportion of ads forget to give contact details for further information.

Your advert will be competing with hundreds of others so it is important that it reflects what is unique about your school.

At the same time, it is also important to think about what factors might potentially put people off your school and try to subtly address these. As a brand new school, potential applicants may be concerned about your lack of track record or uncertainties over whether you will open, so think about anything you can do to address these fears – for example, including a picture of pupils in your proposed uniform or stressing the track record of the trust behind the school may help convey a greater sense that the school is here to stay. There may also be factors which are unique to your school for you to consider. For example, one free school found that many potential applicants were being deterred by the perception that they were a long way from central London. They therefore made special reference to the short travel time to their school via train in all subsequent advertising to try and negate this.

Finally, you must ensure that your advertisement contains a statement about your trust's approach to safeguarding. This must include statements that clearly show your school practices safer recruitment in line with all applicable regulations.

You might consider looking at adverts from existing schools to help find the right wording to effectively communicate your commitment to ensuring safer recruitment practices.

### **Application Pack**

The purpose of an advert is to get interested and appropriate people to ask for more information. Your application pack will then help people decide if they wish to apply.

Bear in mind that there is normally a big difference between expressions of interest and applications; many free schools that advertised for a principal in the TES received applications from only around only half of those who expressed an interest in the position. You therefore need to spend time producing a comprehensive application pack which will explain the role and the application process for it clearly. You can find examples of applicant packs in Appendix 1.

You also need to plan for how you will follow up any interest in the position; many organisations lose potentially promising candidates, even after they have submitted an application, due to poor communication. It is very important that you acknowledge applications, give clear deadlines that you stick to and keep people informed. High quality candidates are more likely to have other offers – you need to keep them engaged. It's important to remember that potential staff will be interviewing you as well as the other way round. For a school that does not yet exist and with no track record, professionalism is paramount and managing your candidate pool will be critical to your success.

You should consider with important appointments – such as the principal designate – having an initial more informal conversation with all applicants when they request an application pack or further information. If they have a named contact and a phone number through which to ask informal questions they are more likely to apply.

In order to meet your legal responsibilities to equal opportunities, it is important that nothing in your job description or applicant pack suggests you may be discriminating on any basis, including age. For example, you should avoid words like 'young', 'mature', 'energetic'.

### **Shortlisted candidates and interview**

It is very important that you have a clear marking scheme and assessment criteria for shortlisting applicants, so that you are protected against any appeal. Make sure that all decisions are backed up by documentation and that you are confident you can externally justify decisions.

Once you have shortlisted candidates it is important you give them sufficient notice of their interview – this is particularly important if you are also interviewing someone who has been involved in the steering group or trust, or is known to one of the directors or members. This is to ensure that there is a level playing field for all candidates.

### **Interview and assessment**

There are a huge number of techniques that schools use to assess candidates including:

- Exercises, such as psychometric tests and e-trays
- Tasks such as presentations or group work
- Observation of teaching or interaction with parents
- Interviews

Typically for an important role like principal designate schools will run a two-day process. The first will involve tasks and exercises related to the job, while the second will be a presentation and interview. Only those who perform well on the first day are invited back.

Before you begin interviewing it is essential that all of the people on the panel are aware of and agreed on the specifications for the job, what the successful candidate must already be able to do, what it is possible to develop, and what characteristics are priorities. You should agree the questions, and who will ask them, in advance, and ensure consistency. Remember that a good candidate will be interviewing you as much as the other way round – so make sure that you are selling your school as well as assessing them.

Consider carefully how many people should be on the panel: while you will have many people on the steering group who are involved in the school, it is very difficult to interview effectively with more than five people asking questions. You should make sure you have:

- Someone with HR expertise (and trained in safer recruitment – see below)
- Someone who is responsible for administration, note taking and follow-up
- Someone with educational expertise
- Someone with a background in the post you are interviewing for - e.g. for a school business manager someone with a background in finance

Do remember that while you may have people offering external advice on your panel the final decision is for the directors of the trust to make, so be clear in advance about who has an advisory role and who is actually appointing. Your DfE education adviser will most likely want to attend the



interviews for your principal designate but remember that they are there to act as an adviser to you; they are not a decision maker.

Make sure you are taking notes and that you have a brief discussion after each interview. If you wait until you have seen numerous candidates, then your memory will be distorted. You should also ensure that you get evidence for statements made by candidates. For example, how much did they improve standards at their previous school? How can you be sure they will deliver what they promise?

Finally, when inviting someone to interview make sure you ask them to complete a DBS check immediately and to bring with them documentary evidence for DBS requirements, and proof of any qualifications that you require for the recruitment process. You should then keep these documents on file.

## Make the offer

The chair of the trust should make any formal offer to a candidate to be principal. For other members of staff recruited for the free school, the principal should make this offer. Remember that a verbal offer is a contract in law, conditional on the individual meeting formal requirements (DBS checks, qualification checks etc.).

A formal offer will be followed by a formal contract. **Remember that you are only allowed to offer a permanent contract and financial security to any employee after you have signed a funding agreement (FA) with the Secretary of State. Any contracts offered before signing the FA will be on a temporary basis with no guarantees of employment should the school not open.**

However, the DfE will underwrite salary costs for a principal designate should the opening of the school be delayed. The salary will be underwritten for two consecutive terms after the decision to not go ahead has been made, as [this letter from the DfE makes clear](#).

## Costs

Remember to refer to the [budget tool](#) available on the NSN website, which gives examples of budgets for pre-opener groups on recruitment. Most schools spent between £15,000 and £20,000 on the recruitment process for all pre-opening and year 1 staff, more will be spent on pre-opening salaries. The vast majority of this was spent on advertising.

When planning your own spending on recruitment, you should consider:

- Whether you will pay for outside expertise. Your DfE Education Adviser can provide some advice or you could hire another external consultant
- Advertising. This will be the most significant part of your spend. Make sure you consider how good the market is for different kinds of teachers and in different locations
- Screening and selecting applicants. This will include running interviews, lesson observations, producing and printing any materials and expenses for the candidate and the interviewers (e.g. travel)
- Employment costs such as DBS checks
- Budgeting for contingency, in case you have to run multiple recruitment rounds

## Getting the right people

Most free schools have found that recruiting staff who were aligned with the school's ethos is vital, but that these people are hard to find. The application pack is a good way to make what your school stands for clear from the start. Be open about what you are looking for so that you don't spend time and money interviewing unsuitable candidates.

Free schools have also found that making development opportunities within the school clear – for example giving less experienced teachers the opportunity to reach leadership positions as the school grew – is a good way to attract talent.

## When to recruit

Your recruitment is likely to be in three phases:

- The principal designate (and sometimes the business manager) needs to be hired as quickly as possible, sometimes two terms before opening
- You will then need to hire any other staff that you wish to be involved in the pre-opening phase – for example the deputy head, some administrative support and potentially some teaching staff
- Finally, you need a plan for all staff that will be in place from the beginning of your first term as a free school and beyond

## When to recruit different staff

When planning your recruitment, you need to ensure you can make decisions about the different roles you need to fill in good time. Ideally you should give yourself time to go through a second round of recruitment, in case you do not find the right person the first time. Some appointments are more time sensitive than others. An existing Head Teacher will have the longest notice period (3 months) and it will be very difficult for you to complete the pre-opening tasks without them, so it is crucial you find the right person as fast as possible. Similarly, a good Business Manager – particularly for a larger school – should be in place as early as possible in pre-opening, along with other administrative staff, since they may well be able to help you with other aspects of this process – for example, your pupil recruitment. The notice period for teachers is two months.

This means that you should bear in mind the following (approximate) deadlines, which are taken from the [‘Burgundy Book’](#) an agreement with the teacher’s unions. Though this is not binding on academies, who may have their own arrangements, it is a good place to start when planning your recruitment timelines:

To quit at the end of	Teacher resignation date	Head/principal resignation date
Autumn Term (31 December)	31 October	31 September
Spring Term (30 April)	28 February	31 January
Summer Term (31 August)	31 May	30 April

Bear in mind that there is **no automatic right for teachers to leave their existing school at half term** – this must be in agreement with the school. While it is possible that a teacher might come to a mutual agreement with their school to waive the full notice period or negotiate release of one or two days a week, this can only happen if their existing school agrees.

Finally, as a free school which is not yet open, you need to be mindful of two other factors. Firstly, that the level of funding the school has access to will depend on how many pupils you recruit for Year 1.

It is therefore prudent to keep staff appointments in line with your understanding of how many pupils will be in the school and what staff costs your budget will stretch to. Secondly, that the potential uncertainty around you as an employer means that some staff may wish to wait until the signing of your funding agreement before they commit to your school. You need to be clear with potential staff (besides your principal designate) that the DfE will not cover their salaries if the school’s opening is delayed and consider your responsibilities towards them carefully.

## Who to recruit

NSN has provided specific guidance on recruiting your principal designate, which you can find on our website.

Further guidance on the recruitment of particular staff can be seen below:

### School business manager

There are a number of areas you can recruit existing school business managers including:

- [The Institute of Schools Business Leadership](#) advertises vacancies to its members.

Alternatively, you may wish to recruit someone from a non-school background, which many free schools have done successfully. In this case, job websites focussed on career changers, such as [Escape the City](#), might be a helpful place to advertise.

As with any other post you should consider the core functions that you expect a school business manager to perform, which are likely to include:

- Managing resources – including planning, linking the school financial plan to educational plans, and monitoring new government policies for financial and resource implications. This should include risk management
- Direct responsibility for non-education aspects of the school – potentially including finance, HR, estate management and maintenance, administration, marketing and ICT
- Managing support staff and working with the principal to ensure they interact with the teaching staff effectively
- Managing external relationships potentially including the police and health service

### Teaching staff

You will need to decide with the principal how teaching staff will be recruited and what role governors will play in this.

As with your principal, it is crucial that you get these appointments right – especially if you are a small school where the abilities of one member of staff can have a large effect on the quality of teaching and achievement overall.

As a free school you are potentially able to offer teaching staff excellent opportunities for career progression as the school grows and a unique chance to help shape the school's curriculum, so you should emphasise these in any advertising.

You should also take full advantage of your existing contacts to find staff; many free school leaders have appointed outstanding teachers who they have seen deliver success before.

Most free schools found it invaluable to see potential teaching staff teach a lesson. In many cases the head of the teacher's current school will know they are applying and may allow you to see them in their current setting. The same is true of potential leaders (e.g. a deputy head applying to be your principal designate). One highly successful head who has opened a free school said he would not appoint someone who he hadn't seen in his current school.

Where this wasn't possible, some free schools in pre-opening were able to convince schools they had a connection with to allow prospective teachers to take lessons. While this is labour intensive it is an effective way of hiring staff.

## Your legal responsibilities

As a free school you are subject to:

- Company and employment law (in your role as directors);
- Charity law (in your role as trustees); and
- Education legislation (in your role as governors) and any additional requirements laid out in the funding agreement.

In the case of recruitment, you should be particularly aware of your duties as employers and as a school. This is true every time you hire a new member of staff in pre-opening and once the school has opened.

### Your duty as an employer

All employers are subject to a range of legal responsibilities. Two of the most important in relation to recruitment are:

## Privacy and personal data

You owe all potential employees the right to confidentiality. This means you should not disclose information about them to third parties except in a small number of circumstances such as for legal proceedings.

It is important that you are clear to all applicants about how their data may be used and that you ensure you have agreed among the trust how any data will be shared.

## Unlawful Discrimination

It is illegal to discriminate on the grounds of:

- Age
- Disability
- Marriage and civil partnership
- Pregnancy and maternity
- Race and ethnicity
- Religion and belief (with the exception of designated faith schools)
- Sex
- Sexual orientation and gender reassignment
- Trade union membership or activities

This obligation to not discriminate stems from the Equalities Act 2010, the DfE have prepared this [note](#) on how the Equalities Act can affect schools. It is crucial that you document the recruitment process to the greatest degree possible as this will be very important as evidence and justification of your recruitment decision should you face any complaints, challenges or claims of unlawful discrimination.

## Your legal duty as a school

Your major legal responsibilities in recruitment are to ensure you have:

- Obtained at least two good references
- Verified the person's identity, their medical fitness and their eligibility to work in the UK
- Verified their qualifications and professional status if required
- Checked their suitability to work in your school

These checks should all be confirmed in writing, documented and retained – and followed up if any discrepancies or issues arise.

## Qualifications

Remember that:

- The SEN Co-ordinator (SENCO) must hold Qualified Teacher Status (QTS). Teachers of pupils with hearing or visual impairments must also have QTS and possess a qualification approved by the Secretary of State for Education
- You need a designated lead teacher for Looked After Children (including Children in Care) who has QTS
- If you are setting up a special free school then all your teachers must have QTS, along with any other specific qualifications that are required for working with hearing or visual impairments
- People appointed to positions where they will have regular contact with children must be medically fit. According to health standard regulations, you should satisfy yourself that your staff are physically and mentally fit before appointing them. However, you should also bear in mind the provisions of the Equalities Act 2010 which prohibit you from asking for generic health questionnaires to be filled in by applicants prior to a job being offered, you can only ask questions regarding the health of the applicant if they relate to an intrinsic function of the job. You will need to act in accordance with both pieces of legislation by only asking health questions which can be considered directly relevant to their role

When appointing ensure that qualifications have been checked (you should ensure you see any relevant certificates or diplomas).

## Verifying identity and suitability to work with children

There are a number of laws determining the conduct of adults around children under the age of 18. These laws don't just apply to teachers, but to all adults - who must be seen as safe and trustworthy because of their regular presence in the school. This includes, but is not limited to, non-teaching staff, volunteers, contractor staff and governors.

When hiring **any** member of staff there are a number of precautions that you must take to ensure that the candidate is who they say they are. You **must** carry out the following actions immediately whenever a candidate applies for a job:

- Arrange a face-to-face interview to determine the candidate's competence
- See proof of identity such as a driving licence or passport, combined with proof of address
- Check his or her previous employment history by contacting their previous employer (see below)
- Check the DBS (Disclosure and Barring Service) barred lists which replaces the Independent Safeguarding Authority lists. The DBS certificate (which has replaced the CRB certificate) will include these details but you should carry out this check even before you receive the certificate. Remember, it is illegal to hire someone to work in your school if they appear on these lists
- Ask them to provide an enhanced DBS check certificate with confirmation that they are not on the barred list as soon as practicable
- Check whether the candidate is prohibited from working by a prohibition order from the Secretary of State. You can check this by using the Employer Access Online Service
- If the candidate has worked abroad, you should carry out the appropriate equivalent checks
- Check that they are allowed to work in the United Kingdom

## References

You should not simply rely on references or testimonials provided by the candidate and you should not accept open references, as these are easy to forge. Only accept written references directly from the previous employer. A number of free schools have also recommended speaking to a previous employer directly, since this is likely to lead to a franker appraisal of the candidate.



You should ask these referees what the candidate's working relationship with children was like and remember the previous employer is obliged to tell the truth and not to wilfully omit any pertinent information.

If it is discovered that the employee has lied then this should be considered an act of fraud, which can be a criminal offence, and should be reported to the DfE and the police.

## DBS checks

**You will need a DBS Enhanced disclosure certificate for all new appointments (those where a person has not been employed in a school or FE college in the three months prior to appointment) to your school's workforce and for all individuals who work with the children on a frequent basis.** You should make every effort to obtain DBS disclosure before an individual starts work. If this is simply not possible an individual can work before the disclosure is obtained, but they must be supervised at all times. No-one can begin work until all the other checks – especially the check against the DBS barred lists – have been confirmed. If you have the consent of the applicant and the applicant subscribes to the service, you can go online to check the DBS update service to see if a new certificate is required.

Volunteers should also obtain a DBS certificate with barred list check if they work with children, unsupervised, more than three times in a thirty-day period (if so, they perform a "regulated activity"). Unless you have obtained a DBS certificate, a volunteer must not be left alone with children.

Governors will only legally be required to provide a DBS enhanced certificate with barred list if they are carrying out a regulated activity (see above), however, it is good practice to ask for a certificate during the process of appointing governors.

Remember that information in a DBS certificate is confidential. It is illegal to send the information to anyone who doesn't need it for their duties. The information must be kept secure and destroyed via secure means when it is no longer needed. Before you destroy any information you should make a note as to who obtained it, the level of the disclosure and the unique reference number as well as anything else that was taken to assess suitability. This information should be added to the Single Central Record.

The following people do not need a DBS certificate;

- Candidates who have worked in an English school or FE college within the three months prior to employment;
- People seeking jobs when they will only be dealing with children over the age of 18 (however barred list checks must still be obtained on these people)
- If candidates who are engaged in initial teaching training do not have an Enhanced DBS certificate prior to applying for a work placement they can begin training before the disclosure arrives as long as they are supervised and not on the barred lists
- People who are on site before or after school hours and when children aren't present
- Other public sector staff – psychologists, nurses, dentists etc. –though establishing proof of identity and confirming that they have been recruited safely is essential

If the DBS certificate reveals a cause for concern, immediately withdraw that member of staff from the school/contact with pupils pending further investigations. You would need to consider circumstances and then decide on the appropriate action. To give just one example a certificate might reveal a conviction that had not been declared, but that might not be a deliberate attempt to defraud or mislead, simply that someone has been misinformed about whether something was still on their criminal records.

## DBS Barred List

The Barred Lists are confidential documents also maintained by the DBS (previously they were held by the ISA) which contain details of people who have been deemed unsuitable for work with children by the DBS. It is illegal to recruit someone from this list. All members of staff who work with or around children will need to be checked to make sure that they are not banned from any positions. Staff cannot start work until this check has been completed.

## Keeping track

You will need a member of the trust's governing body to set up and run a record of the recruitment and vetting checks in a Single Central Register (SCR) of staff and other adults. This needs to be done by the April before you open at the very latest.

There is no prescribed format or layout for the SCR, but it needs to show the nature of the checks made on staff members, the date on which they were made and the identity (for example, function or job title) of those making the checks or entering the details in the record. Ofsted will check the school's SCR record early in the inspection with the expectation that it will be complete and comprehensive.

Schools are reminded that the SCR must be a living document that needs to be kept up to date. The SCR may cover all adults who have regular contact with children but is only currently legally required for those employed in the school.

This record should contain the following information for each candidate;

- Confirmation that their identity has been checked
- Confirmation that their qualifications have been checked
- Confirmation that they are permitted to work in the United Kingdom
- Confirmation that they are not on the barred list
- Confirmation that senior staff have seen their Enhanced DBS certificate
- Any appropriate overseas records (when appropriate)
- The date that the checks were made and who carried out the check

## Additional checks

If a candidate has lived outside the United Kingdom for a prolonged period, then there have to be additional checks as the DBS certificate does not take into account crimes committed in other countries. You should get in contact with the relevant embassies or police forces of the relevant countries to find out if there is any information that you need to be made aware of. Information on how to obtain details of a candidate's criminal record from overseas can be found [here](#).

Schools are legally required to ensure that at least one member of each recruitment panel has completed safer recruitment training. This would typically be a senior leader or governor, typically the chair of governors. Senior administrators, such as a business manager, take responsibility for

ensuring that all checks are carried out and supported by relevant evidence and that appropriate records are kept, including the single central register of staff and other adults.

If there are any additional investigations or queries that you want to engage in, then do so; **the above is not an exhaustive list**. It is poor practice to simply rely on DBS or Barred List checks as these only highlight individuals who have come to the attention of the police. Be more proactive – for instance investigate any gaps in a candidate’s employment history. If the candidate was previously a teacher but is not at the time of applying to your school, contact the last school that they worked at to find out why they left.

## Links and further information

The [DfE’s pre-opening guidance](#) sets out your key tasks when recruiting staff, when these need to be completed and what support you can expect to receive from them.

NSN’s [budget tool](#) provides examples of how free schools have spent their pre-opening grant and helps you to plan your spending. It includes examples of what free schools spent on recruitment costs.

The [National Governors’ Association](#) (NGA) provides guidance to members and is a useful resource. If you join you will receive access to their publications on their website which includes recruitment guidance and a large number of sample job descriptions, applicant packs, interview and assessment questions and other tools.

For teachers’ pay scales (as a comparison – you do not need to follow these) see the DfE’s website [here](#). You may want to consider starting pay in line with progression increments as the school builds up to full capacity.

Information from the DfE on safe recruitment processes can be found [here](#).

Information from the DfE on how the Equalities Act 2010 applies to schools can be found [here](#).

The NSN Foundation Advisory Service is available to all groups in pre-opening. Through it you can access a question and answer service and a selection of key resources entirely free of charge. Incorporated within the packages that make up the NSN Pre-Opening Delivery Programme are targeted visits to open free schools. During these visits, there may be the potential to organise a meeting with the trust’s chair of governors to discuss the principal recruitment process and lessons learnt in this area.

If you have further questions about staffing, you may benefit from the support offered by the NSN Essentials Advisory Service; to find out more about either service, please contact the NSN Delivery Team through [open@newschoolsnetwork.org](mailto:open@newschoolsnetwork.org)

## Appendix 1: Recruitment policies, job descriptions and application packs

### Recruitment policies

Your recruitment policy should:

- Declare and explain your commitment to safeguarding and promoting the welfare of children and young people and to equal opportunities
- Explain the scope of the document – who it applied to and who must follow it
- Who is responsible for recruitment and selection and where it has been delegated
- Declare your principles in recruitment
- Give the normal process of recruitment (application form, job description, references, interviews, interview panel, pre appointment checks etc.)
- Ensure it is clear that appointments are conditional on both the funding agreement being in place and the free school opening

To help you put together your staff appointment policy, we have collated some examples of those used by open free schools.

### Job descriptions

Your job descriptions should include:

- A brief description of the school and the role this position will play in what it is trying to achieve;
- A scope of the role to include its major responsibilities, dimensions and objectives – paying particular attention to issues which are very important to the ethos of your school, such as an expectation that staff will spend more time working directly with parents than in other schools;
- Information about who the role will be accountable to and any staff which it will be responsible for managing; and
- A description of the skills/competencies required to complete it – focussing in particular on those which might be particularly important in establishing a new school – for example, the principal's role in recruiting new pupils.

To help you put together your job descriptions, we have collated [some examples of those used by open free schools.](#)

## Applicant packs

Applicant packs vary depending on the role but will probably include:

- A much more detailed description of the school's aims and objectives, and its ethos
- The job description (see above)
- The application form with explanatory notes
- Clear details of any other information candidates need to provide – for example CVs, covering letters, any details of specific experience
- Details about relevant policies including your staff appointment policy
- Details of your policy on child protection and safeguarding
- Clear details of the person's place in the organisation – potentially with an organogram
- Details of terms and conditions including salary structure, compensation, progression, development plans and other benefits

To help you put together your applicant packs, we have collated [some examples of those used by open free schools.](#)

## Application forms

It is possible to use generic application forms for all positions since much of the information you require from applicants will be the same. However, you should ensure that you make it clear to applicants where they need to provide information which is specific to the role they are applying for.

To help you put together your application forms, we have collated [some examples of those used by open free schools.](#)

## Appendix 2: Recruitment checklist

We have suggested a checklist for your recruitment plans below. This is presented in rough chronological order but some tasks will need to be completed simultaneously.

<b>Task</b>	<b>Details</b>
Planning	<ul style="list-style-type: none"> <li>• Timetable of recruitment decided</li> <li>• Recruitment budget agreed</li> <li>• Job description and person specification written and signed off</li> <li>• Applicant pack created</li> <li>• Criteria for marking applications and shortlisting applicants agreed</li> <li>• Panels for shortlisting and interviewing agreed – both those advising and those appointing</li> </ul>
Advertising	<ul style="list-style-type: none"> <li>• Advert designed</li> <li>• Check to ensure it refers to the policy statement of safeguarding and promoting welfare. Ensure it makes clear that the appointment is conditional on a funding agreement being in place and the school opening.</li> <li>• Check to ensure details of how to get further information are included</li> <li>• Advert placed</li> </ul>
Shortlisting	<ul style="list-style-type: none"> <li>• Ensure your DfE Education Adviser is engaged - applications marked and shortlists agreed</li> </ul>
Enhanced DBS disclosure	<ul style="list-style-type: none"> <li>• Completed and scrutinised</li> </ul>
DBS Barred Lists	<ul style="list-style-type: none"> <li>• Checked</li> </ul>
Contract	<ul style="list-style-type: none"> <li>• Initial contract signed</li> <li>• Permanent contract signed after funding agreement</li> </ul>



## Support for schools in pre-opening

NSN has supported free school groups in pre-opening since 2014. NSN's unrivalled knowledge and experience has been informed by our work with over 70% of open and approved free school groups throughout the application and pre-opening phases.

The NSN Delivery Programme has been meticulously designed to address the challenges of the rigorous pre-opening process. Whilst proposer groups may have a wealth of skills and expertise, the NSN Delivery Programme will fill gaps in capacity and/or capability, providing a range of support options to prepare schools for a successful opening.

Our exclusive packages of advice, support and project management have been developed to comply with Department for Education (DfE), and Free Schools Capital (FSC) guidance and focuses on the areas that our experience shows will provide free schools with the most value in pre-opening.

### NSN Delivery Programme

#### Foundation Advisory Service

All approved projects have access to our core advisory service, which is free of charge. This foundational offer includes:

- An invitation to our annual launch event, delivered in partnership with the DfE
- A telephone and email service
- Key pre-opening resources
- Invitations to our Spotlight events at open free schools
- An invitation to our events focusing on the final stages of pre-opening

#### Site Advisory Service

Relevant to both sequential and concurrent groups, the NSN Site Advisory Service helps groups to navigate the complex process of securing a site and suitable free school building. Developed to complement the support provided by LocatED and FSC, the service includes:

- A named NSN Project Manager
- Access to NSN Site Associates
- Comprehensive and exclusive guidance resources about free school capital projects
- In-depth support meetings with NSN Project Managers and Site Associates
- Detailed feedback from support meetings

### Essentials Advisory Service

Developed to support the project management and delivery of the non-site related challenges you will tackle in pre-opening, the NSN Essentials Advisory Service focuses on areas such as pupil recruitment and admissions, the section 10 consultation, finance, governance, education planning and staffing. The NSN Essentials Advisory Service provides:

- A named NSN Project Manager
- Access to a range of NSN Associates
- Bespoke and exclusive networking opportunities with existing free schools
- In-depth meetings with NSN Project Managers and Associates
- Detailed feedback from support meetings
- Comprehensive and exclusive suite of guidance resources about all aspects of pre-opening
- Spokesperson training for principal designates

### Project Management Partnership Service

Based on our vast experience, and developed with the DfE's Pre-Opening Guidance in mind, the NSN Project Management Partnership is for groups planning to outsource some or all of the project management of their free school in pre-opening.

Split into two phases, the NSN Project Management Partnership takes into account the volume, complexity and timing of tasks in different phases of pre-opening. With additional bolt-on services available to buy, the NSN Project Management Partnership is the most bespoke service offered as part of the NSN Delivery Programme.